

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2004 MAY 13 P 4:30

U.S. DISTRICT COURT  
DISTRICT OF MASS

Case No. 04-10738 PBS

EBEN ALEXANDER, III, M.D.

Plaintiff,

v.

BRIGHAM AND WOMEN'S PHYSICIANS  
ORGANIZATION, INC., successor to  
Brigham Surgical Group Foundation, Inc.,  
BOSTON NEUROSURGICAL FOUNDATION  
INC., BRIGHAM SURGICAL GROUP  
FOUNDATION, INC. DEFERRED  
COMPENSATION PLAN, BRIGHAM  
SURGICAL GROUP FOUNDATION, INC.  
FACULTY RETIREMENT BENEFIT  
PLAN, COMMITTEE ON COMPENSATION  
OF THE BRIGHAM SURGICAL GROUP  
FOUNDATION, INC., FIDELITY  
INVESTMENTS INSTITUTIONAL  
OPERATIONS CO., INC., FIDELITY  
MANAGEMENT TRUST CO., and  
PETER BLACK, M.D.

Defendants.

**STIPULATION TO EXTEND TIME**

Plaintiff Eben Alexander, III, M.D. ("Plaintiff") and defendants Fidelity Investments Institutional Operations Co., Inc. and Fidelity Management Trust Co. (collectively, the "Fidelity Defendants") hereby stipulate and agree that the time for the Fidelity Defendants to answer or otherwise respond to the Complaint is extended through and including May 24, 2004.

Respectfully submitted,

EBEN ALEXANDER, III, M.D.,

By his attorneys,

Michael Paris/LPM

Michael Paris (BBO # 556791)  
Colleen C. Cook (BBO # 636359)  
NYSTROM BECKMAN & PARIS LLP  
10 St. James Avenue, 16<sup>th</sup> Floor  
Boston, MA 02116  
(617) 778-9100

FIDELITY INVESTMENTS INSTITUTIONAL  
OPERATIONS CO. and FIDELITY  
MANAGEMENT TRUST CO.

By their attorneys,

Laurie Drew Hubbard

David C. Casey (BBO No. 077260)  
Gregory C. Keating (BBO No. 564523)  
Laurie Drew Hubbard (BBO No. 651109)  
LITTLER MENDELSON, PC  
225 Franklin Street, 26<sup>th</sup> Floor  
Boston, MA 02110  
(617) 217-2831

Dated: May 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each other party by first-class mail on May 13, 2004.

Laurie Drew Hubbard

Laurie Drew Hubbard

Boston:1814.1 047950.1000